

REMARKS

Claims 1-20 have been examined and rejected on prior art grounds. Claims 3, 10, 13, and 20 are hereby canceled without prejudice or disclaimer, and claims 21-23 are hereby added. Hence, claims 1-2, 4-9, 11-12, 14-19, and 21-23 are all the claims pending in the application.

Claim Rejections - 35 USC § 102(e)

The Examiner has maintained the rejection of claims 1, 3-4, 6, 10-11, 13-15, and 20 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2002/0107973 to Lennon et al. (hereinafter “Lennon”). Applicants submit that the claims are patentable.

Initially, Applicants note that claims 3, 10, 13, and 20 have been canceled without prejudice or disclaimer. Hence, the rejections to these claims are rendered moot.

Independent claim 1 recites that the search module locates a Uniform Resource Locator (URL) using a unique identifier assigned to each program in the received external digital content metadata. Independent claim 1 further recites that the search module locates the URL after the received external digital content metadata is converted by the mapping module.

In the Office Action, the Examiner asserts that:

“Lennon does teach or suggest a search module (212) for locating a method of accessing a program, in a predetermined manner using the unique identifier (Para 71; URI as a link to a program metadata) assigned to each program in the received external digital content metadata (Para 73 lines 1-4; non-XML compliance repository as in legacy Database 210) after the received external digital content metadata is converted by the mapping module (Para 73 lines 1-14; after non-XML metadata is converted by the metadata server to become XML metadata then transfer to XML browser).” (See page 2 of the Office Action)

Here, the Examiner appears to interpret the recitation “after the received external digital content metadata is converted by the mapping module” as modifying the claimed accessing of a

program. The Examiner seems to assert that Lennon's media browser 101 receives the converted XML metadata, thereby accessing the multimedia item therein. As Lennon discloses that this receipt of metadata occurs after the conversion of the XML data, the Examiner concludes that the features of the claim are taught.

However, the Examiner's interpretation relies on the presumption that Lennon's URI corresponds to the claimed unique identifier. Applicant submit that the recitation that the search module locates a Uniform Resource Locator (URL) using a unique identifier assigned to each program in the received external digital content metadata precludes such an interpretation. At best, Lennon's URI would correspond to the claimed URL, rather than the claimed unique identifier. Under such an interpretation, Lennon does not teach or suggest that the alleged search module locates the alleged URL after the received external digital content metadata is converted by the mapping module, as recited by claim 1. Specifically, as previously noted, Lennon discloses that a URI initiates access of the metadata in order to retrieve the metadata from legacy database 210 (paragraphs 71 and 73). The URI link is not located after the conversion of the metadata. Instead, Lennon's URI is used to access the metadata prior to the retrieval of the metadata from legacy database 212, and thus prior to the converting of the retrieved metadata. Thus, Lennon does not teach or suggest that the alleged search module locates the URL after the received external digital content metadata is converted by the mapping module, as recited by claim 1.

Because Lennon does not teach all of the features of claim 1, Applicants submit that the claim is not anticipated by Lennon.

Independent claims 4, 11, 14 and 15 recite features similar to those discussed above in conjunction with claim 1. Accordingly, Applicants submit that these claims are patentable at

least for reasons analogous to those discussed above regarding claim 1. Applicants further submit that claim 6 is patentable at least by virtue of its dependency on claim 4.

Claim Rejections - 35 USC § 103(a)

The Examiner has maintained the rejection of claims 2, 7-9, 12, and 17-19 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lennon in view of Applicant's alleged admitted prior art (hereinafter "APA"). Because these claims are dependent on one of claims 1, 4, 11, 14, and 15, and because APA does not cure the deficiencies of Lennon, Applicants submit that the claims are patentable at least by virtue of their dependency.

The Examiner has maintained the rejection of claims 5 and 16 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lennon in view of U.S. Patent Application Publication No. 2002/0199188 to Sie et al. (hereinafter "Sie"). Because these claims are dependent on one of claims 4 and 15, and because Sie does not cure the deficiencies of Lennon, Applicants submit that the claims are patentable at least by virtue of their dependency.

New Claims

New claims 21-23 have been added. Applicants submit that these claims are patentable at least by virtue of their dependency on claim 1 and because the cited art of record does not teach or suggest the features recited therein.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

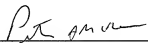
SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 23, 2009



Peter A. McKenna
Registration No. 38,551